

AO 440 (Rev. 10/93) Summons in a Civil Action - SDNY WEB 4/99

United States District Court

SOUTHERN

DISTRICT OF

NEW YORK

GWENDOLYN VARNER

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

THE PRUDENTIAL INSURANCE COMPANY
OF AMERICAN AND STANDARD CHARTERED
BANK

05 CV 7919
JUDGE SCHEINDLIN

TO: (Name and address of defendant)

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA
290 WEST MOUNT PLEASANT AVENUE
LIVINGSTON, NEW JERSEY 07039

STANDARD CHARTERED BANK
ONE MADISON AVENUE
NEW YORK, NY 10010

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

STEVEN J. FINKELSTEIN
1164 VICTORY BOULEVARD
STATEN ISLAND, NEW YORK 10301

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

JJ. MICHAEL McMAHON

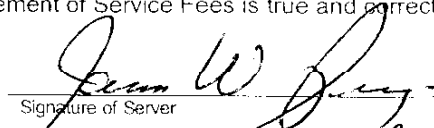
SEP 12 2005

CLERK

DATE

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action -SDNY WEB 4/99

| RETURN OF SERVICE | | |
|---|-------------------------------------|--|
| Service of the Summons and Complaint was made by me ¹ | DATE <u>NOVEMBER 16, 2005</u> | |
| NAME OF SERVER (PRINT) <u>JAMES W. PROR</u> | TITLE <u>PROCESS SERVER #100056</u> | |
| Check one box below to indicate appropriate method of service | | |
| <input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>STANDARD CHARTERED BANK</u> <u>ONE MADISON AVE NEW YORK N.Y.</u> | | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ | | |
| <input type="checkbox"/> Returned unexecuted: _____ | | |
| <input checked="" type="checkbox"/> ADDITIONAL Other (specify): <u>JOHANNA VARGAS LEGAL ASSISTANT - LEGAL DEPT.</u> <u>STANDARD CHARTERED BANK 212-667-0367</u> <u>ACCEPTED</u> | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL |
| | | |
| DECLARATION OF SERVER | | |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> | | |
| Executed on <u>NOVEMBER 16, 2005</u> <small>Date</small> | |  <small>Signature of Server</small> <u>49 WHITEWOOD AVE</u> <u>STATEN ISLAND NY 10310</u> <small>Address of Server</small> |
| <div style="text-align: right; font-size: 24px; font-weight: bold; margin-top: 20px;">JAN 11 2006</div> | | |

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



B 151— Affidavit of Service of Summons or Subpoena: Personal or Alternative Methods: Corp. or Ind.; Military Service: (1) pt. type, 1-95

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SOUTHERN COURT DISTRICT
COUNTY OF ALCO YORK
GOVERNMENT VARIANTS

Index No. 25 CV 7919

**AFFIDAVIT OF
SERVICE OF SUMMONS
(AND COMPLAINT)**

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA &
STANDARD CHARTERED BANK

Plaintiff(s)

Defendant(s)

Judge Scheindman

STATE OF NEW YORK, COUNTY OF RICHMOND SS: The undersigned, being duly sworn, deposes and says; deponent is not a party herein, is over 18 years of age and resides at 79 WHITEWOOD AVE STATEN ISLAND N.Y. That on NOVEMBER 16, 2005 at 12:30 PM at ONE MADISON AVE NEW YORK N.Y. deponent served the within summons, and complaint on STANDARD CHARTERED BANK defendant therein named,

- INDIVIDUAL
1. ☐ by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.
- CORPORATION
2. ☐ a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be thereof.
- SUITABLE AGE PERSON
3. ☐ by delivering thereat a true copy of each to a person of suitable age and discretion. Said premises is defendant's—actual place of business—dwelling place—usual place of abode—within the state.
- AFFIXING TO DOOR, ETC.
4. ☐ by affixing a true copy of each to the door of said premises, which is defendant's—actual place of business—dwelling place—usual place of abode—within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

☒ JOHANNA VARGAS LEGAL ASSISTANT, LEGAL DEPT
ACCUSED TO BANK FOR MATTHEW HILLET - (CC)

MAILING TO
RESIDENCE
USE WITH 3 OR 4

5A. ☐

MAILING TO
BUSINESS
USE WITH 3 OR 4

5B. ☐

DESCRIPTION
USE WITH
1, 2, OR 3

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

| | | | | | | |
|--|--|--|-------------------------------------|--|---|--|
| <input type="checkbox"/> Male | <input type="checkbox"/> White Skin | <input checked="" type="checkbox"/> Black Hair | <input type="checkbox"/> White Hair | <input type="checkbox"/> 14-20 Yrs. | <input type="checkbox"/> Under 5' | <input type="checkbox"/> Under 100 Lbs. |
| <input checked="" type="checkbox"/> Female | <input type="checkbox"/> Black Skin | <input type="checkbox"/> Brown Hair | <input type="checkbox"/> Balding | <input checked="" type="checkbox"/> 21-35 Yrs. | <input type="checkbox"/> 5'0"-5'3" | <input type="checkbox"/> 100-130 Lbs. |
| | <input type="checkbox"/> Yellow Skin | <input type="checkbox"/> Blonde Hair | <input type="checkbox"/> Mustache | <input type="checkbox"/> 36-50 Yrs. | <input checked="" type="checkbox"/> 5'4"-5'8" | <input type="checkbox"/> 131-160 Lbs. |
| | <input checked="" type="checkbox"/> Brown Skin | <input type="checkbox"/> Gray Hair | <input type="checkbox"/> Beard | <input type="checkbox"/> 51-65 Yrs. | <input type="checkbox"/> 5'9"-6'0" | <input checked="" type="checkbox"/> 161-200 Lbs. |
| | <input type="checkbox"/> Red Skin | <input type="checkbox"/> Red Hair | <input type="checkbox"/> Glasses | <input type="checkbox"/> Over 65 Yrs. | <input type="checkbox"/> Over 6' | <input type="checkbox"/> Over 200 Lbs. |

Other identifying features:

USE IN
NYC CIVIL CT.

☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to ?? NYCRR §208.6(d) and (f).

MILITARY
SERVICE

☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on 11/16/05 at Staten Island

CONIE SABELLA
NOTARY PUBLIC, STATE OF NEW YORK
ALCO YORK COUNTY
NOV 16 2005

JAMES H. HICK
License No. 1002656

INSTRUCTIONS: Check appropriate boxes and fill in blanks. Delete inappropriate italicized language and military service allegation if not applicable.